

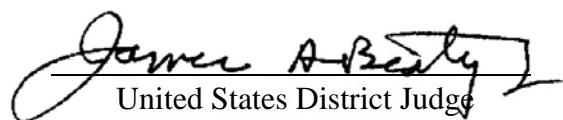
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THE ESTATE OF GILBERT BARBER)
by and through its administrators, JESSIE)
BARBER and CALVERT STEWART)
Plaintiffs,)
v.) 1:03CV547
B.J. Barnes, in his individual capacity)
and official capacity as the Sheriff of)
Guilford County, THOMAS GORDY,)
in his individual and official capacity as a)
Deputy Sheriff, the GUILFORD COUNTY)
SHERIFF'S DEPARTMENT, and)
PEERLESS INSURANCE CO., surety)
for Guilford County Sheriff's Department,)
Defendants.)

ORDER AND JUDGMENT

For the reasons discussed in the Memorandum Opinion filed contemporaneously herewith, IT IS ORDERED, ADJUDGED AND DECREED that Defendants' Motion for Summary Judgment [Document #31] is GRANTED, and all of Plaintiffs' claims are hereby DISMISSED WITH PREJUDICE.

This, the 29th day of June, 2006.



James A. Beatty
United States District Judge